

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Smith International, Inc.,

Plaintiff,

VS.

The Egle Group, L.L.C.,

Don M. Egle,

and

Daniel Rees, as Trustee of the Trust for Michele A. Goethe Egle Trust for John M. Egle, Jr., and the Egle Trust for Lauren E. Egle,

Defendants.

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CIVIL ACTION NO. H-04-4151

MEMORANDUM AND ORDER

Plaintiff filed a motion for summary judgment in this case in April 2005. Consideration of that motion was delayed pending the outcome of Defendants' jurisdictional challenge, which was resolved on November 15, 2005. On that date, the Court ordered Defendants to respond to the motion for summary judgment on or before November 30, 2005. Defendants then filed a motion to shorten the time allotted for Plaintiff to respond to Defendants' first set of interrogatories, and a motion to expedite consideration of the motion to shorten time. Because Defendants have, in the interim, filed their response to the summary judgment motion, their motions to shorten time and to expedite consideration, Docket Nos. 116 and 120, are hereby **DENIED AS MOOT**.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 21st day of December, 2005.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison", written over a horizontal line.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**